

REMARKS

Claims 1-27 are pending in the application, and are rejected. Claims 13 and 23 are herein canceled. Claims 1-3, 5, 8-9 and 11 are herein amended. New claim 28 is herein added.

Claim Rejections - 35 U.S.C. §112

Claim 2 is rejected as indefinite because the Examiner asserts that it describes the resin as a “modification of a polyolefin resin (a)”. The Examiner asserts that because the polyolefins are already claimed as modified polyolefin, it is not clear what is intended as a modification of these modified resins.

Applicants respectfully traverse the rejection. Applicants submit that the claim does not refer to a “modification of a polyolefin resin (a)”, as asserted by the Examiner, but instead refers to “wherein the resin (a) is a modification of polyolefin resin (a0)”, which clearly means that resin (a0) has been modified into resin (a) by adding to resin (a0) a functional group from the group consisting of carboxyl, hydroxyl, mercapto, amino, isocyanato and carbodiimido groups. Applicants therefore traverse the rejection.

Claim 3 is indefinite because the phrase, “thermally degraded polyolefin” is relative to the type and extent of thermal energy and degradation, and therefore the phrase does not define in either a quantitative or functional manner.

Applicants note in the specification on page 5, lines 5-10 that the contemplated thermal degradation was a polyolefin thermally degraded by being heated in an inert gas at between 300 to 450 °C for 0.5 to 10 hours. Applicants herein clarify the claim to recite that the resin (a0) is a

polyolefin thermally degraded to an equivalent degree as if it were heated in an inert gas at between 300 to 450 °C for 0.5 to 10 hours. Thus, the polyolefin could have been degraded for closer to 10 hours at a temperature of 300 °C, or could be degraded for 0.5 hours at 450 °C, or at a temperature and time between the claimed limits.

Claim 5 and dependent claim 8 are indefinite because the phrase “higher order polyolefin resin modification” is relative to the type and extent of “order” to which it is being compared.

Applicants herein delete the phrase “higher order”, thus mooted the rejection.

Claim Rejections – 35 U.S.C. §102(a)

Claims 1-24 and 26-27 are rejected under 35 U.S.C. §102(a) as being anticipated by U.S. Patent No. 6,277,912 to Ashihara et al., which was cited by Applicants in the IDS dated May 3, 2005, and which is the English counterpart application of EP 0874031.

Applicants herein amend claim 1 to include the limitation “wherein the crosslinking agent has at least two reactive groups selected from the group consisting of hydroxyl, amino, epoxy and carbodiimido groups.”

Applicants submit that the rejection under §102 of claims 1-24 and 26-27 has been overcome. Applicants submit that Ashihara et al. fails to teach or suggest having at least two reactive groups consisting of hydroxyl, amino, epoxy and carbodiimido groups. Rather, Ashihara et al. merely teach an oxazoline polymer (column 11, line 9) as an aqueous crosslinking agent. The oxazoline polymer has one or more oxazoline groups in its polymer molecule (column 11, lines 15-17). Because there is no teaching or suggestion to include at least two

reactive groups consisting of hydroxyl, amino, epoxy and carbodiimido groups, Applicants submit that the rejection is improper, and should be withdrawn.

Claims Rejections under 35 U.S.C. §103(a)

Claim 25 is rejected under 35 U.S.C. §103(a) as being unpatentable over Ashihara et al. as applied to claims 1-24 and 26-27 above and in view of the Examiner's assertion that the application of topcoats to painted substrates is conventional to one skilled in the art.

As noted above, Applicants submit that the rejection under §102 of claim 1 (from which claim 25 depends) has been overcome. Applicants submit that Ashihara et al. fails to teach or suggest having at least two reactive groups consisting of hydroxyl, amino, epoxy and carbodiimido groups. Rather, Ashihara et al. merely teach an oxazoline polymer (column 11, line 9) as an aqueous crosslinking agent. The oxazoline polymer has one or more oxazoline groups in its polymer molecule (column 11, lines 15-17). Because there is no teaching or suggestion to include at least two reactive groups consisting of hydroxyl, amino, epoxy and carbodiimido groups, Applicants submit that the rejection of claim 1 is improper, and should be withdrawn. Therefore, because claim 25 depends from claim 1 and necessarily includes at least its limitations, Applicants submit that the rejection of claim 25 is improper, and should be withdrawn.

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Amendment under 37 C.F.R. §1.111
Amendment filed: December 7, 2005

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
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